



FloorPrep

Legislative Digest

Tuesday, September 21, 1999

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

*House Meets at 12:30 p.m. for Morning Hour and
2:00 p.m. for Legislative Business
(No Votes Before 6:00 p.m.)*

Anticipated Floor Action:

- H.R. 2116—Veterans' Millennium Health Care Act
- H.R. 834—National Historic Preservation Reauthorization Act
- H.R. 1231—Elko County Forest Land Conveyance Act
- H.R. 1243—National Marine Sanctuaries Enhancement Act
- H.R. 1431—Coastal Barrier Resources Reauthorization Act
- H.R. 2079—Terry Peak Land Transfer Act
- H.R. 468—Saint Helena Island National Scenic Area Act
- H.R. 2367—Torture Victims Relief Act
- H.J. Res. 54—Granting Consent to the Missouri-Nebraska Boundary Compact
- H.J. Res. 62—Granting Consent to the Boundary Change Between Georgia and South Carolina
- S.J. Res. 33—Sense of Congress Deploring President Clinton's Granting Clemency to FALN Terrorists
- H.R. 1402—Federal Milk Marketing Order Implementation Act (Rule Only)



Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following 11 bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 2116—Veterans’ Millennium Health Care Act makes comprehensive reforms to improve access to, as well as the timeliness and quality of, the Veterans Administration (VA) health care system. Reforms include (1) requiring the VA to increase home and community-based options for veterans needing long-term care; (2) lifting the six-month limit on VA adult day health care; (3) providing Purple Heart recipients the same priority as Prisoners of War (POWs) and expanding health care eligibility for other veterans; (4) establishing means to enhance revenues for the VA (e.g., the bill establishes a copayment for certain services and requires the federal government to give the VA a proportional amount of any funds recovered for the treatment of tobacco-related illnesses—the bill does not however, take a position on whether the government should file a lawsuit to recover any tobacco funding); and (5) extending the VA’s authority to provide grants to assist homeless veterans. In addition, the bill:

- * expands extended care services for veterans;
- * grants higher priority access to VA medical services for military retirees;
- * authorizes a pilot program for health care for dependents of veterans;
- * expands the VA’s authority to lease unneeded property;
- * authorizes compensation and health care services to veterans who suffer disability or death due to participation in the work therapy program; and
- * extends the VA’s authority to provide counseling to sexual trauma victims and Vietnam-era veterans.

CBO estimates that enactment will result in discretionary outlays of approximately \$141 million in FY 2000 and \$1.4 billion in 2004. In addition, the bill will raise direct spending by approximately \$2 million in FYs 2000-2004, and about \$647 million over the next 10 years. The bill was introduced by Mr. Stearns *et al.* and was reported by the Veterans’ Affairs Committee by voice vote on July 15, 1999.

H.R. 834—National Historic Preservation Reauthorization Act reauthorizes the Historic Preservation Fund (HPF) and extends the authorization for annual deposits of \$150 million to the HPF through FY 2005. The authorization for these deposits, which consist of receipts derived from oil and gas development on the Outer Continental Shelf, expired at the end of FY 1997. In addition, the bill (1) codifies Executive Order No. 13006, which requires that federal agencies, when locating or relocating federal facilities, give first consideration to historic structures in historic districts; (2) reiterates that the law does not apply to the White House and its grounds, the Supreme Court building and its grounds, and the United States Capitol and its related buildings and ground; (3) clarifies NHPA Section 106 compliance procedures for heads of federal agencies who directly or indirectly undertake or license any project to take into account the effect on any district, site, or structure that is listed or eligible for listing on the National Register; (4) extends the authorization for the Advisory Council on Historic Preservation through FY 2005; (5) grants employees of the council the same employment status as other members of the executive branch; and (6) modifies the existing Interior Secretary review of nominations to the National Historic Register. The bill was introduced by Mr. Hefley *et al.* and was reported by the Resources Committee by voice vote on June 9.

H.R. 1231—Elko County Forest Land Conveyance Act directs the Agriculture Secretary to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery at no cost to the

county. The property, known as “Jarbridge Cemetery,” is situated on National Forest land, but has been used as a cemetery by residents of Elko County since the early 1900s. The National Forest Service presently manages the land and has permitted its use as a cemetery through a special use authorization. The residents of Jarbridge have expressed an interest in having two acres conveyed to Elko County from the Forest Service, giving them full use of the property and ensuring them a permanent, private cemetery. The bill was introduced by Mr. Gibbons and reported by the Resources Committee by voice vote on August 4.

H.R. 1243—National Marine Sanctuaries Enhancement Act reauthorizes and amends the 1972 National Marine Sanctuaries Act (*P.L. 92-532*), which governs two programs administered by the National Oceanic and Atmospheric Administration (NOAA). Specifically, the bill authorizes \$26 million annually for FYs 2000-2004 for the National Marine Sanctuaries System (NMSS) for operation costs as well as \$3 million annually for new construction projects. The bill authorizes \$12 million annually for FYs 2000-2004 for the National Estuarine Research Reserve System (NERRS) for new construction project grants at national estuarine reserves and additional grant money for reserve operations and other purposes (\$7 million for FY 2000, \$8 million for FY 2001, \$9 million for FY 2002, \$10 million for FY 2003, and \$11 million for FY 2004). In addition, the measure streamlines the process for designating new sites for the NMSS, strengthens existing enforcement measures, and authorizes new construction activities at units of the two systems. The bill was introduced by Mr. Saxton *et al.* and was reported by the Resources Committee by voice vote on March 24.

H.R. 1431—Coastal Barrier Resources Reauthorization Act reauthorizes \$1 million annually for programs carried out under the 1982 Coastal Barrier Resources Act (CBRA; *P.L. 97-348*) for FYs 2000 through 2004. The bill requires the U.S. Fish and Wildlife Service, coordinating with the Federal Emergency Management Agency Director, the Commerce Secretary, the National Oceanic and Atmospheric Administration, and the U.S. Geological Survey Director, to complete a pilot project to determine the feasibility and cost of creating digital maps of the Coastal Barrier Resources System (CBRS). In addition, the bill allows voluntary donations of private property for inclusion in the CBRS. Finally, the bill makes three changes to the CBRS. The first change concerns a unit boundary located on North Captiva Island in Florida. The second change corrects a mapping error in Cape Hatteras National Seashore in North Carolina. Finally, the bill directs the Interior Secretary to add a net increase of 213 acres to the three million-acre Coastal Barrier Resources System (CBRS) in Lewes, Delaware. The bill was introduced by Mr. Saxton and was reported by the Resources Committee by voice vote on April 14.

H.R. 2079—Terry Peak Land Transfer Act directs the Agriculture Secretary to convey roughly 4.1 acres in the Black Hills National Forest, South Dakota, to the Terry Peak Ski Area at fair market value. Currently, 90 percent of the 41-acre Terry Peak Ski Area land is privately owned. The other 10 percent is federally owned and administered as part of the Black Hills National Forest (BHNF). The cost of appraising the land must be paid by the ski area, and the Agriculture Secretary may spend money from the sale to acquire replacement land for the Black Hills National Forest. The bill was introduced by Mr. Thune and was reported by the Resources Committee by voice vote on June 30.

H.R. 468—Saint Helena Island National Scenic Area Act authorizes the Agriculture Secretary to acquire Saint Helena Island in Lake Michigan. The 240 acres of privately owned land that comprise the island are currently for sale by the owners. If purchased, the island will be open for public recreational use. It also allows the secretary to acquire up to 10 acres of mainland to provide access to the island and facilities for the scenic area. The bill does not include the purchase of a three-acre parcel of land on the

island owned by the U.S. Coast Guard containing a lighthouse built in 1873 and currently being restored by the Boy Scouts of America. The bill was introduced by Mr. Kildee *et al.* and was reported by the Resources Committee by voice vote on June 30.

H.R. 2367—Torture Victims Relief Act reauthorizes the Torture Victims Relief Act (*P.L. 105-320*) to allow the president to provide grants (authorizing a total of \$10 million for each of FYs 2001, 2002, and 2003) to treatment centers and programs in foreign countries that carry out projects or activities specifically designed to treat victims of torture for the physical and psychological effects of such abuse. Furthermore, the bill (1) authorizes \$10 million for FYs 2001-2003 for the Secretary of Health and Human Services (HHS) to provide grants to U.S. programs; (2) authorizes \$5 million for each of FYs 2001-2003 to the United Nations Voluntary Fund for Victims of Torture; (3) expresses the sense of Congress that the president should request the voluntary fund to find new ways to support and protect treatment centers and programs (including developing new centers and programs) that carry out rehabilitative services for victims of torture and use the U.S. vote in the UN to establish a country rapporteur or similar procedural mechanism to investigate human rights violations in a country if either the Special Rapporteur or the Committee Against Torture indicates that a systematic practice of torture is prevalent in that country; and (4) directs the Secretary of State to submit a report to Congress detailing efforts by the State Department to implement specialized training for foreign service officers who deal with torture victims. The bill was introduced by Mr. Smith (NJ) *et al.* and was reported by the International Relations Committee on June 29.

H.J. Res. 54—Granting Consent to the Missouri-Nebraska Boundary Compact grants congressional consent to an interstate compact settling the boundary on the Missouri River between the states of Missouri and Nebraska. The resolution contains the substance of the boundary agreement and makes it binding on the two states. The agreement, a product of many years of negotiation, shifts more than 10,000 acres of land on both sides of a 50-mile section of the Missouri River. Since boundary changes affect the political power and influence of states, interstate compacts putting them into effect require congressional consent under the Constitution. Once the boundary line of a state is set, Congress may not change the line without its consent. CBO estimates that enactment will have no impact on the federal budget. The resolution was introduced by Ms. Danner and was reported by the Judiciary Committee by unanimous consent on August 3, 1999.

H.J. Res. 62—Granting Consent to the Boundary Change Between Georgia and South Carolina grants congressional consent to an interstate compact establishing a portion of the boundary between Georgia and South Carolina along the Savannah River. The resolution also gives the states broad discretion to determine a final, binding technical description of that resolved boundary line. States often enter into compacts with one another to address common responsibilities or interests. Under the U.S. Constitution, however, no state can enter into an agreement with another state or foreign power without congressional consent, which ensures that the interests of the nation or other states are not adversely affected. CBO estimates that enactment will have no impact on the federal budget. The resolution was introduced by Mr. Linder and was reported by the Judiciary Committee by unanimous consent on August 3, 1999.

S.J. Res. 33—Sense of Congress Deploing President Clinton’s Granting Clemency to FALN Terrorists expresses the sense of Congress deploing President Clinton’s decision to grant clemency to members of the Armed Forces of National Liberation (the FALN) convicted for numerous felonies against the United States, including seditious conspiracy. On August 11, 1999, the president offered clemency to a total of 16 FALN members. On September 10, 11 members were freed, most of whom have returned to Puerto Rico. Two others declined Clinton’s offer, which required them to renounce violence. Another

will be eligible for release in a few years, and two others already were out of prison. The offer was opposed by the FBI, the Federal Bureau of Prisons, and two U.S. Attorneys. The Senate passed the resolution by a vote of 95-2 on September 14, 1999. The House passed a similar measure (H.Con.Res. 180) by a vote of 311-42, with 72 members voting “present,” on September 9. The resolution was not considered by a House committee.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #26, September 17, 1999.



H.R. 1402—Federal Milk Marketing Order Implementation Act (Rule Only)

Floor Situation: The House will consider the rule only for H.R. 1402 after it completes consideration the scheduled suspensions. On Wednesday, September 15, the Rules Committee granted a structured rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Agriculture Committee. The rule makes in order a committee amendment in the nature of a substitute as base text. It also self-executes a manager’s amendment into the base text of the bill upon passage of the rule. The rule makes in order eight other amendments and waives all points of order against them. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #26, September 17, 1999.



To subscribe to this publication via e-mail, please send an e-mail to LegDigest@mail.house.gov and type “SUBSCRIBE” in the subject line.

Brian Fortune: *Managing Editor*

Kevin Smith: *Senior Legislative Analyst*

Mary Rose Baker, Scott Galupo,
Brendan Shields, & Heather Valentine:
Legislative Analysts

House
REPUBLICAN
Conference

**Legislative
Digest**

<http://hillsource.house.gov/LegislativeDigest>